

WILMERHALE

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**BY ECF**

Daniel E. O'Toole  
Chief Executive and Clerk of the Court  
United States Court of Appeals  
for the Federal Circuit  
717 Madison Street, NW  
Washington, DC 20439

Re: *Promega Corporation v. Life Technologies Corporation*, Nos. 2013-1011, -1029, -1379

Dear Mr. O'Toole:

I will be arguing the above-mentioned appeal for Plaintiff-Cross Appellant Promega Corporation. I write to inform the Court that, due to commitments in other cases, I will not be available for argument from January 6 through January 10, 2014.

Respectfully submitted,

/s/ Seth P. Waxman

Seth P. Waxman

cc: All Counsel (by ECF)